- The Supreme Cr
  Putting an end
- Don King enters
- CV Plus: Cable's 1982 business outlook

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CableVision

The news and features weekly of the cable television industry

January 25, 1982

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CableVision

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Cover story

In what most in Washington, and many around the country, are calling one of the monumental agreements to be made in this century, the Justice Department has unleashed American Telephone and Telegraph Company to develop its own integral role in the shaping of future telecommunications. Washington deputy bureau chief David Price examines what the decision means to cable and to the U.S. **Page 13.**

Leading the week, *Pages 13-18*

Can of worms

In a decision that clouds the future of municipal home rule and monopoly cable television franchising, the U.S. Supreme Court ruled five to three that Boulder, Colorado's cable TV ordinances are not immune from federal antitrust laws. Washington bureau chief Patrick Gushman discusses the issues facing the industry.

A refusal to dismiss

While the cable industry and other officials are buzzing about the potential effects of the AT&T/Justice Department agreement, Washington Judge Harold Greene has refused to dismiss the case that is pending in his court.

A refusal to dismiss

While the cable industry and other officials are buzzing about the potential effects of the AT&T/Justice Department agreement, Washington Judge Harold Greene has refused to dismiss the case that is pending in his court.

Put to rest

With one simple decision, the Supreme Court set up the epitaph for Malrite by refusing to accept a request to review the case.

Entering the ring

Fight promoter Don King, not to be left out of cable and pay-per-view profits, has formed the Don King Sports and Entertainment Network, which will "beam prime-time sporting events, shows and concerts into millions of American homes."

Next target

Industry sources are speculating that 20th Century-Fox Film Corporation will be the next major motion picture studio to strike an exclusive contract with Home Box Office.

Theatrical entertainment

The Entertainment Channel announced its launch date, satellite berth and programming plans at a recent press conference. The "meat and potatoes" of TEC's stage productions will be put together in a venture with RKO/Nederlander. **Page 20.**

Partners north and south

Telidon, Canada's videotex giant, comes up with a 50/50 joint venture with Times Mirror's videotex division, aiming at marketing the product in the U.S. An early test of the operation is tentatively set for March 15 **Page 59.**

This week in *CableVision Plus*

Cable analysts forecast the business outlook for 1982, in a *CableVision Plus* sampling of industry pundits and players. In a related piece, *Plus* takes a look at the franchise flight phenomenon, as MSOs become increasingly discriminating in their franchise applications, with some pulling out of chosen markets. There's wind in the corporate sails at Teleprompter, with changes ahead aired by Bill Bresnan and Chris Derick in a *CV Plus* interview. Pages 35-56.

Pulling out the stops

What a difference a week makes. Since *CableVision*'s reporters put a cap on our Western Show coverage in mid-December, it's been a slow news day for almost a month.

In New York and particularly in Washington, where long holidays are as sacrosanct as the national debt, *CableVision* reporters spent most of the latter part of December and early part of January scrabbling for any piece of news they could get their hands on. Phone messages went unanswered; stories were put on hold.

But then came Friday, January 8, and AT&T and the Justice Department announced the settlement of the long-standing AT&T antitrust suit.

This announcement was followed early the next week by Judge Harold Green's still unresolved attempt to halt the AT&T settlement, the Supreme Court's decision in the Boulder, Colorado/TCI case and the last rites for Malrite.

So, as the staff began the week sorting out all the permutations of the AT&T settlement and atypically competing with the hordes of reporters from the national press for access to the principal players, they soon found themselves saddled not only with the AT&T story, but two other major stories as well.

Meanwhile, the Eastern Seaboard was engulfed in its largest storm of the year and tragedy struck Washington, D.C., further compounding the obstacles confronting the *CableVision* staff.

So, after the holiday slumber, we and the cable television industry at large awakened with a jolt last week. The world is back to making the news again, no question about it. The entire New York and Washington, D.C., *CableVision* bureaus pulled out the stops last week to cover this glut of news. Particular merit, however, goes to Washington staffers Patrick Gushman and David Price, who chased down the stories on AT&T and TCI.

Paul Kagan Publishing

CABLE FILE/82

CableFile is the most complete and definitive collection of cable industry data, including 1) Cable Programming Services, 2) Roster of all Members of the Congressional Communications Committee, 3) Explanation of the New Copyright Rates, 4) List of Major Advertising Agencies in the Top 25 U.S. Markets, 5) Cable System Profiles, 6) List of 100 Largest Ranked MSO's and 7) List of 100 Largest Ranked individual systems. . . Plus much, much more.

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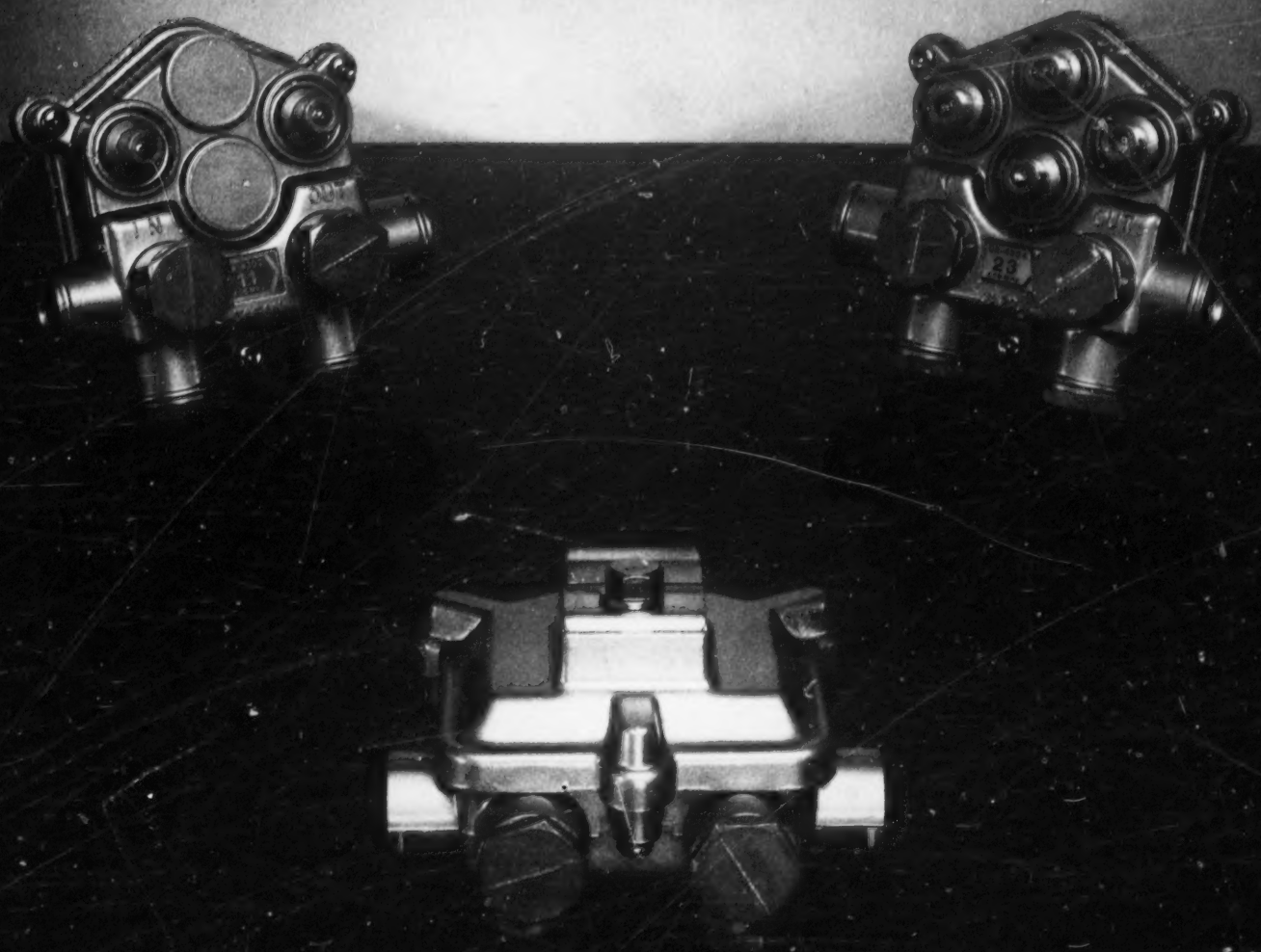

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Launch postponed

CAPE CANAVERAL, FL—The launch of Satcom IV was scrubbed January 14 because of "high, sheer winds in the upper atmosphere." RCA officials said the launch had been rescheduled for the following evening between 8:54 and 9:09 p.m. (EST). According to sources at the scene, the winds had calmed down somewhat on the morning of the rescheduled lift-off, but "we really won't know what the situation is until a couple of hours before the launch." Satcom IV will be hurled into space by a Thor-Delta rocket and will settle into the geosynchronous arc, 22,300 miles over the equator. There are 24 transponders on the bird that will be used to house RCA Americom's Cable Net Two. On January 21, the FCC will meet to decide whether to approve the auction that RCA held two months ago to allocate seven of the satellite's transponders.

Popularity gains

NEW YORK—WTBS and Home Box Office are among the most-liked programming services, Arbitron has found in a survey of viewer response to the eight major programming networks. Data released last week from the Cable Network Report, the first industry study to measure the basic and pay viewing of the largest programming services, revealed that HBO achieved the highest popularity among the services. Among the advertiser-supported networks, WTBS had the majority of programs in the top 20 ranking, earning a 74 cume rating. HBO obtained the highest weekly cume for all services, while WTBS had the highest weekly cume of the six reported services selling advertising. The study reported information for five age and sex categories and three socioeconomic levels, based on a telephone sample of 3,573 completed interviews with subscribers from a national sample of 105 systems. Men, it was found, are the heaviest viewers of USA Network, ESPN and CNN. More information will be released at a later date, Arbitron said, to provide greater insight to the character of both the basic and pay audience.

And now a word from . . .

NEW YORK— ABC now remains the only broadcast network still refusing cable advertising. CBS has joined NBC in accepting advertising from HBO. Six million dollars of HBO's $9 million re-marketing budget has been set aside for national spots in prime-time TV. An HBO spokesman denied rumors that CBS, long-resistent to pay cable advertising, had demanded premiums in order to take on the ads. "We feel we got a fair and equitable price," he said. The strategy of holdout ABC has been explained by ABC Video Vice President in-charge Herb Granath: "We don't sell to HBO for the same reasons we don't sell to NBC or CBS."

Chevys in stereo

NEW YORK—Chevrolet Division of General Motors, trying to woo the youth market corraled by Ford Mustang and others, has discovered The Music Channel. Chevrolet will begin running 90-second commercials in stereo created especially for the network's sound afficianados. All the spots feature the Camaro. Thirty- and 60-second spots have been rotating on the channel since January 11, but the 90-second stereo specials will debut February 1 and will be used to sponsor all the concerts aired during the month. Dave Martin, senior vice president at Campbell-Ewald, the Detroit-based agency which created the spots, describes them as the first automobile advertising done in stereo. "These 90-second spots are forerunners to a longer form of commercial marketing we're planning which matches product with format," said Martin. In order to keep their flexibility over content and sound, Campbell-Ewald is only buying on The Music Channel quarter by quarter. While neither Martin nor Larry Divney, vice president of administration and sales for Warner Amex Satellite Entertainment, would disclose a budget, Divney remarked that if the spots are sold for the rest of the year "it could prove quite a healthy budget." Martin described Chevrolet's commitment as "substantial in the cable industry."

NCAA to dictate cable rights

HOUSTON—A meeting of the National Collegiate Athletic Association ended last week here with the organization receiving support for its bid to control negotiating rights to college football cablecasts and broadcasts. By a vote of 631-to-178, member schools in the association approved a measure to have the telecasting or cablecasting of college football dictated by NCAA bylaws. The NCAA also approved an increase in the membership of its football television committee from 13 to 18 schools. The NCAA is expected to consider proposals from several cable networks (ESPN and USA Network included) at a meeting in Kansas City later this month. The meetings concern possible live coverage of Saturday evening football during the 1982/1983 seasons.

AB 699 plus franchising

LOS ANGELES—California lawmakers are considering what legislation—if any—should follow the state's basic cable TV law, which expires in 1983. Under the old law (AB 699) signed by Governor Jerry Brown two years ago, cable systems which met certain standards, such as providing 20 or more channels or a community service, would be exempt from city or county rate regulation. However, preliminary results of an industry study show only a few companies have taken advantage of the law. In addition, charges of heavy lobbying pressures on local officials in the rush to win potentially lucrative cable franchises has led to talk in Sacramento of adding a franchising section to any extension of the current law. Other proposals for state cable legislation include: mandating a specific number of community channels required for a franchise; putting California's cable television industry under the direction of the state Public Utilities Commission; and restricting what can be shown on cable, particularly in the area of pornography. Another proposal sure to spark controversy involves an attempt to raise the annual franchise fee paid by cable operators to local governments from the three to five percent current levels to seven percent. Two percent of this would be diverted to schools and other public services to alleviate some of California's present fiscal crisis. Spencer Kaitz, president of the California Cable Television Association, said the idea of raising the franchise fees is "ill-conceived and unconstitutional"

because it asks a limited number of California cable subscribers to underwrite the needs of the rest of the public. Cable interests would fight such a concept, Kaitz said.

Two-way privacy

ALBANY, NY—New York Attorney General Robert Abrams has proposed a law designed to protect the privacy of two-way cable subscribers. According to Abrams, the two-way cable system poses a threat to personal privacy because of the potential for unauthorized disclosure of confidential information. The cable television operator is being entrusted with details of the subscriber's entertainment and consumer product choices, personal finances, medical history and opinions, Abrams says. "Subscribers must be assured that this information will not be disclosed to third parties or to government authorities without their authorization," Abrams said. The bill requires that cable operators obtain the subscriber's consent before revealing data, tell the subscriber why the information is being released, and describe what is being disclosed. Warner Amex Cable Communications, which pioneered interactive cable in Columbus, and now offers it in Cincinnati, requires a subpoena or court order before it releases subscriber information to government agencies. It also allows subscribers to remove their names from mailing lists to be released to third parties.

New studios for HBO

NEW YORK—Home Box Office has developed a proposal to construct a telecommunications facility near Smithtown, Long Island, at a cost between $10 and $11 million dollars. The facility, to be located in an industrial park two to three miles away from the city, would be the site of a satellite uplink station for HBO and Cinemax, and possibly a production center that may replace HBO's current studios in lower Manhattan. HBO official Bob Mann said a proposal outlining the facility (taking up 12.8 acres of the park) is now before the city's zoning board, which is about to make a decision on an environmental impact study submitted by the service last week. Declining to comment on when the zoning board would approve the plan, Mann claimed the facility could be completed one year after approval. "Much is still in the air regarding overall use of the area," he explained.

National Public Cable Radio?

WASHINGTON—National Public Radio is "likely to become a participant" in cable by offering audio services to supplement FM radio, according to Joshua Koenig, director of NPR's cable study. Although the final report isn't due for another two months, preliminary studies of NPR's proposed plunge into cable look "quite positive," Koenig said. NPR's Board of Directors met late last week in Austin, Texas, to discuss how a proposed takeover of United Press International would effect NPR's plans for cable. Such a takeover could give NPR access to UPI's vast network of correspondents. NPR President Frank Mankiewicz confirmed reports that negotiations are underway. NPR is studying whether it makes sense for it to absorb the financially-troubled wire service. E.W. Scripps, UPI's parent company, has offered to donate the wire service to NPR. Scripps has had UPI on the selling block for the last several years, but has had no takers. Mankiewicz said it will probably be several months before a final decision is made on the Scripps proposal.

Closing the door

BUFFALO, NY—Cablescope and Home Box Office have finally closed the book in the system's HBO/Movie Channel flip-flop. The two sides agreed on a compromise last month that ends the five-month-old battle over Cablescope's decision to replace HBO with The Movie Channel on its first tier. Subscribers can now receive HBO without having to take the entire package of services of which HBO is now a part, Cablescope Vice President Tom Smigelski said.

Construction bids for STC

WASHINGTON—Satellite Television Corporation has asked five satellite manufacturers to submit bids for construction of the two high-powered satellites needed for its proposed direct broadcast satellite service. The request for proposal encompasses six areas including specifications, test and product assurance programs, and other contract requirements. The construction program is expected to take more than three years with the service slated to begin in late 1985 or early 1986, if FCC approval is granted. Each spacecraft will have three operating transponders with a radio frequency output power of approximately 200 watts. The birds are expected to provide at least 1,700 watts of prime power so the signal can be received by small receiving antennas, generally 2.5 feet in diameter. STC sent the RFPs to Ford Aerospace and Communications Corporation, General Electric Company, Hughes Aircraft Company, RCA Astro-Electronics, and the TRW Systems Group. All proposals are due at STC by April 1982.

PRISM picks up fights/systems

BOSTON—PRISM/New England, the 24-hour regional sports, movies and entertainment network, has announced an agreement with Main Events, Inc., to produce boxing events on its premium pay channel. The first event is set for January 29, with two more programs scheduled for cablecast by the end of June. A monthly schedule of boxing is expected to begin this summer. In addition, the service has been picked up by eight systems in the area, with 17 more expected to turn on by the end of next month.

Sony appeals Betamax ruling

LOS ANGELES—Sony Corporation of America has announced that it will appeal the Ninth Circuit U.S. District Court of Appeals' ruling which maintains that off-air recording of copyrighted television programs infringes on copyright law. Previously, Sony had requested an *en banc* review that would have required at least 11 of the 23 Ninth Circuit judges to reconsider that ruling. The request was denied early last week. Sony said that it will take the appeal immediately to the Supreme Court in order to protect what Sony called "the consumer's right to use home video equipment to freely record programs transmitted over-the-air."

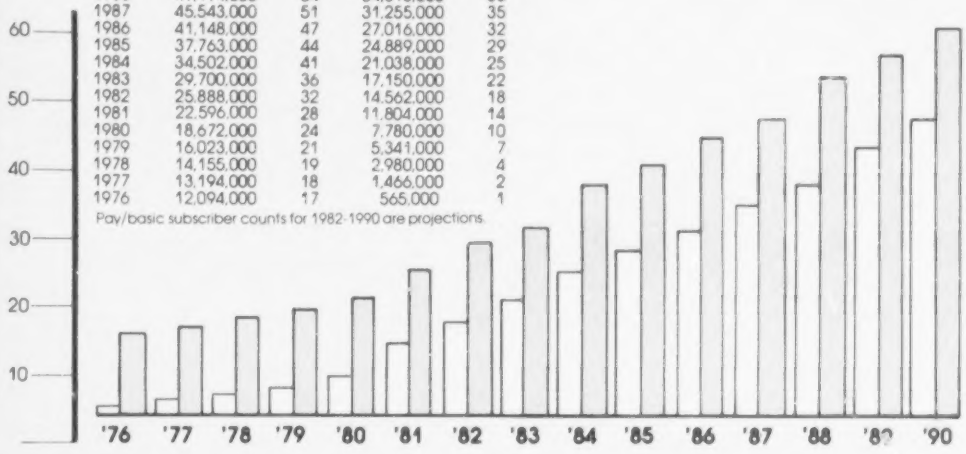
How Showtime can increase your HBO subscriber life.

Cable stats

Pay/basic cable growth

Year	Basic Subscribers	% of TVHHs	Pay Subscribers	% of TVHHs
1990	57,812,000	61	43,596,000	46
1989	53,882,000	58	39,018,000	42
1988	49,194,000	54	34,618,000	38
1987	45,543,000	51	31,255,000	35
1986	41,148,000	47	27,016,000	32
1985	37,763,000	44	24,889,000	29
1984	34,502,000	41	21,038,000	25
1983	29,700,000	36	17,150,000	22
1982	25,888,000	32	14,562,000	18
1981	22,596,000	28	11,804,000	14
1980	18,672,000	24	7,780,000	10
1979	16,023,000	21	5,341,000	7
1978	14,155,000	19	2,980,000	4
1977	13,194,000	18	1,466,000	2
1976	12,094,000	17	565,000	1

Pay/basic subscriber counts for 1982-1990 are projections.



Cable barometer

Television households (TVHH) ... 80,700,000

Homes passed by cable (HP) 41,574,977

Percent of TVHH passed by cable 51.52%

Basic cable subscribers 22,596,000

Percent of TVHH with basic cable .. 28.00%

Percent of HP with basic cable .. 54.35%

Pay cable subscribers 11,804,000

Percent of TVHH with pay cable 14.62%

Percent of HP with pay cable 28.39%

Percent of basic subs with pay cable 52.24%

National cable advertising

This chart lists national advertising sales by the basic cable networks during December 1981.

Network/client	Status
BET	
Amtrak	Renewal
Anheuser-Busch	Renewal
Carson Products	Renewal
General Mills	New client
North Carolina Mutual	Renewal
Pepsico	Renewal
Sears	Renewal
U.S. Army	Renewal
U.S. Navy	Renewal
CNN	
Aloe Nature	Renewal
Boise Cascade	Renewal
Bristol-Myers	Renewal
Colgate-Palmolive	New client
CPC International	Renewal
Ford	Renewal
General Foods	Renewal
General Mills	Renewal
Gillette	Renewal
Home Box Office	Renewal
ITT (Hartford Insurance)	Renewal
Mushroom Shoes	Renewal
Nabisco	Renewal
Oxfam America	New client*
Schering-Plough	Renewal
Shell Oil	Renewal
Video Magazine	New client*
Wrigley's	Renewal
CBS Cable	
Bolla Wines	New client
Christian Media Network	
Keenan and Cleary	Renewal
ESPN	
Cartier Watches	New client*
Eastman Kodak	Renewal
Exxon	Renewal
Home Box Office	Renewal
Kellogg's	New client
Marriott Hotels	Renewal
Mattel	Renewal
Miles Labs	New client
Noxell	Renewal
Owens-Corning	Renewal
Red Carpet Inns	New client
Tampax	New client
U.S. Postal Service	New client
Warner Communications	Renewal
MSN	
Schwinn	New client
Schering-Plough	New client
Sears	New client
SPN	
Aer Lingus	Renewal
American Express	Renewal
American Tourister	New client
Attenzione magazine	Renewal
Avon Books	Renewal
Bord Failpe	New client*
Business Week magazine	New client
CIE Tours	Renewal
Cusinart	Renewal
Diamond International Investment	New client
Dow Jones (Barron's)	New client
Dow Jones (Wall St. Journal)	Renewal
Eastman Kodak	Renewal
Estee Lauder	Renewal
Exxon	Renewal
Geoffrey Beene	New client*
Guiness Brewers	Renewal
HBO/Time-Life	Renewal
Il Progresso	Renewal
Irish Tourist Board	Renewal
London Air Lines	New client*
Newsweek	Renewal
Nautilus Health	Renewal
Peugeot	New client
Pierre Cardin	New client
Playboy magazine	New client
Polyglycoat	New client*
The Sporting News	Renewal
Travel Holiday magazine	Renewal
Urban General	Renewal
Zales	Renewal
SIN	
Proctor & Gamble	Renewal
Warner Communications	New client
TeleFrance USA	
Club Med	New client*
Chanel	Renewal
Exxon	Renewal
USA Network	
Ford	Renewal
General Motors (Chevrolet)	New client
Home Box Office	Renewal
Levi Strauss	Renewal
Miles Labs	New client
Schefflin & Co.	Renewal
20th Century-Fox	Renewal
Warner Communications	Renewal
Z-Brick	Renewal
WTBS	
American Home Products	Renewal
Campbell Soup	Renewal
Corn Products	Renewal
Dow Chemical	Renewal
General Foods	Renewal
Hershey Foods	Renewal
Hormel	New client
Johnson & Johnson	Renewal
K-Mart	Renewal
Kellogg's	Renewal
Lever Brothers	Renewal
National Enquirer	New client
Nestle	Renewal
Rochdale Press	New client*
Sears	Renewal
Stride-Rite	Renewal
HBO/Time-Life	Renewal
Xerox	New client

*New to network advertising.

Satellite line up

Satcom IIIR (RCA Americom)

	Transponder
Warner Amex (Nickelodeon/ARTS)	1
PTL Television Network	2
United Video (WGN, WFMT, Lifestyle, JISAL, Dow Jones)	3
Inoperative	4
Warner Amex (The Movie Channel)	5
Southern Satellite Systems (WTBS, The Women's Channel, Cabletext, North American Newstime)	6
ESPN	7
Christian Broadcasting Network	8
USA Network, C-SPAN, Black Entertainment Television	9
Showtime (west)	10
Warner Amex (MTV: Music Television)	11
Showtime (east)	12
HBO owned, presently not working	13
Cable News Network	14
Warner Amex owned (for CNN II)	15
Showtime, ACSN, National Jewish Television, AETN, Compact Video (4:00 p.m. to 4:00 a.m.)	16
Showtime (used by Eastern Microwave for WOR)	17
Reuters, GalaVision (at night)	18
United Video (7:00 a.m. to noon), Times Mirror (Spotlight, noon to 7:00 a.m.)	19
HBO (Cinemax-east)	20
Landmark (Home Theater Network during early evening)	21
HBO (west), Modern Satellite Network, leased for Daytime Jan. '82	22
HBO (Cinemax-west)	23
HBO (east)	24

Satcom IV—Projected launch January 12, 1982, 24 transponders, 4/6 GHz
Satcom V—Projected launch mid-1982
Satcom IR—Projected launch September 1983
Satcom IIIR—Projected launch September 1983

Comstar D-2 (AT&T/GTE)

	Transponder
ESPN (Rainbow Programming/Bravo-evenings)	3H
National Christian Network (subleased to Rainbow/Escapade)	4V
SIN	4H
Warner Amex	6V
HBO (Cinemax-east, temporary)	7V
Showtime (subleased to Compact Video)	8V
Trinity Broadcasting	9V
HBO	9H
American Medical Buildings	10V

Westar III (Western Union)

	Transponder
Audio	1
Hughes Television Network, Blairsat	2
Intelsat (Mexico)	3
Audio	4
Occasional use	5
CBS Cable	6
Robert Wold Company/Satori (Private Screenings)	7
SIN	8
SSS (SPN)	9
ABC TV	10
CNN	11
Eternal Word Television Network/occasional video services	12

Westar IV—Projected launch February 1982
Westar V—Projected launch September 1982

Galaxy I (Hughes Communications)—Projected launch May 1983, 24 transponders, 4/6 GHz.Transponders reserved: Time Inc. (6), Westinghouse (4), Turner Broadcasting (2), Times Mirror (2) Viacom (2)
Galaxy II—Projected launch September 1983, 24 transponders, 4/6 GHz
Galaxy III—Launch date pending demonstration of market demand, 24 transponders, 4/6 GHz

Spacenet I (Southern Pacific Communications)—Projected launch February 1984, 18 transponders-4/6 GHz, 6 transponders-12/14 GHz. Transponders reserved: SSS (3) Pop Network (3) SIN (2), Landmark Communications (2), Bonneville International (3), Southern Baptist Convention (2), United Video (1), Midwest Radio & TV (1), Double-B Enterprises (1), Rainbow Communications (1)
Spacenet II—Projected launch October 1984, 18 transponders-4/6 GHz, 6 transponders-12/14 GHz
Spacenet III—presently being built

Franchising in the top 50

Rank	Market	Status of Core City
1.	New York	Manhattan-OP/four unwired boroughs-FP
2.	Los Angeles	City is divided into seven parts (1 OP/3 FG/3 FP)
3.	Chicago	BP
4.	Philadelphia	City is divided into four parts (1 OP/3 FP)
5.	San Francisco	OP (system to be upgraded)
6.	Boston	FG
7.	Detroit	BP
8.	Washington, D.C.	LNA
9.	Cleveland	BP
10.	Dallas-Ft. Worth	FG-one for each city
11.	Pittsburgh	OP
12.	Houston	OP
13.	Minneapolis/	FP
14.	St. Louis	BP
15.	Seattle/Tacoma	City is divided into four parts (2 OP/1 FC/1 BP)/ Tacoma-OP
16.	Atlanta	OP
17.	Miami	FG
18.	Tampa/ St. Petersburg	BP/OP
19.	Baltimore	BP
20.	Denver	FP
21.	Indianapolis	FG (to be turned on shortly)
22.	Sacramento/ Stockton	BP/OP
23.	San Diego	OP
24.	Portland	City is divided into two parts (1 OP/1 FG)
25.	Kansas City	OP
26.	Hartford/New Haven	Two systems-OP
27.	Cincinnati	OP
28.	Milwaukee	FP
29.	Buffalo	OP
30.	Nashville	OP
31.	Phoenix	OP
32.	Columbus	Four systems-OP
33.	Providence/ New Bedford	LNA/OP
34.	Memphis	OP
35.	Charlotte	OP
36.	New Orleans	FC
37.	Greenville/Spartans-burg/Asheville	Three systems-OP
38.	Grand Rapids/ Battle Creek/ Kalamazoo	Three systems-OP
39.	Oklahoma City	OP
40.	Orlando/ Daytona Beach	Two systems-OP
41.	Raleigh/Durham	Two systems-OP
42.	Louisville	OP
43.	Charleston/ Huntington	Two systems-OP
44.	Birmingham	OP
45.	Salt Lake City	OP
46.	Harrisburg/York/ Lancaster/Lebanon	Four systems-OP
47.	Norfolk/Newport News/New Hampton/ Portsmouth	Four systems-OP
48.	Wilkes-Barre/Scranton	Two systems-OP
49.	Albany/ Schenectady/Troy	Three systems-OP
50.	Dayton	OP

Legend:
OP—operational
FG—franchise granted
FP—franchise pending
BP—beginning process
LNA—little or no action

Based on chart from the National Cable Television Association report on cable franchising, using Arbitron's designated market areas